Public Security and Democratic Governability:
Theorizing about Crime, Violence, Corruption, State and Regime[1]

John Bailey
Department of Government and
School of Foreign Service
Georgetown University

Abstract

The paper sketches two basic models, one depicting a "positive equilibrium" set of
relationships between public security and democratic governability and another that
depicts a "negative equilibrium" set. Public security is taken as the interaction of crime,
violence and corruption. The models connect these to regime and state through a direct
set of linkages and through a set that is mediated by perceptions. I then introduce two
additional, complementary models that focus more on dynamics of change. I go on to
suggest hypotheses that might be developed in relation to three lenses or levels: a macro
level that considers origins and evolution of whole systems, a meso level that takes up
specific relationships within the models, and a micro level that looks at actors' attitudes
and values. Given space limitations, I develop only the first two levels. Also, the
positive equilibrium model gets more attention than its negative counterpart. In the
section on mediated linkages, the flows of effects of civil society on regime and state are
developed more than the reverse flows. This is not a paper that lays out an argument and
reaches firm conclusions. Rather, success rides on the extent to which I can persuade the
reader about the importance of the research question and about the usefulness of the
concepts, maps and paths

Introduction
It is widely recognized that crime, violence and corruption can significantly complicate
the creation and maintenance of democratic governability. This is especially the case of
so-called democracies in transition, but recurring scandals and various types of political
violence remind us that established democracies are hardly exempt. Given their central
importance, the quality of theory linking these "problem clusters" to civil society and
democracy ought to be much more developed than it is.

A causal theory might begin with the selection and definition of variables and
develop models that describe relationships among the variables. A useful model can
specify hypotheses that can be tested with various sorts of data. The hypotheses, in turn,

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can be interconnected to formulate partial theories that "explain" interesting relationships. The model, with its collection of partial theories, can be applied to different political systems, be they nation-states or subnational units of various types, and across time.

This paper sketches two basic models, one depicting a "positive equilibrium" set of relationships between public security and democratic governability and another that depicts a "negative equilibrium" set. It then introduces two additional, complementary models that focus more on dynamics of change. I go on to suggest hypotheses that might be developed in relation to three lenses or levels: a macro level that considers origins and evolution of whole systems, a meso level that takes up specific relationships within the models, and a micro level that looks at specific acts and actors. Given space limitations, I develop only the first two levels. Also, the positive equilibrium model gets more attention than its negative counterpart. In the section on mediated linkages, the flows of effects of civil society on regime and state are developed more than the reverse flows. This is not a paper that lays out an argument and reaches conclusions. Rather, success rides on the extent to which I can persuade the reader about the importance of the research question and about the usefulness of the concepts, maps and paths.[2]

Variables and Relationships

We begin by selecting and defining things. Each of the concepts introduced below invites a lengthy discussion, which can only bog us down at this point. I unpack several of these concepts in later sections of the paper. Also, this whole enterprise is normatively loaded and my biases will be manifestly clear as we proceed.

Because I believe they interact with one another and that they affect government and politics in various combinations, I choose to include crime, violence and corruption in a set of phenomena that I call "public security." Following Weber's wisdom to begin simply and to construct definitions inductively, I start with ordinary language. "Security," in ordinary English refers to "the state or feeling of being free from fear, care, danger, etc.; safety or a sense of safety" (Webster's 1960, p. 1318). Public security, as I use the term, emphasizes protection of persons, property and democratic political institutions from domestic and transnational threats of physical violence, intimidation, or corrupt or predatory government actions, especially by law enforcement and justice officials.[3] Crime means, ". . . an act committed in violation of a law prohibiting it, or

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[2] By way of full disclosure, the paper explores issues that I need to address before I can undertake a study of security and democracy in the Americas. Empirical work needs a theoretical orientation, and I could not find one that suited my purposes. Thus, I ask the reader's patience with what must appear to be an extended, rambling conversation with myself.

[3] National security, in contrast, is concerned with protection of the state, territorial integrity and sovereignty, and essential state functions and agencies from threats by other states or trans-state actors (e.g., terrorism, organized crime and the like). As will become obvious, public security presents difficult boundary problems with its notions of physical violence and intimidation. Assault and homicide, for example, clearly fit within the boundary, but there are many difficult cases, such as the "violence" of hunger, malnutrition and disease, or the "threats" associated with subsistence farming or hyperinflation. I shall limit the violence component of the security concept to two categories: actual physical violence or the overt threat of violence intentionally inflicted by one person or persons on another or others; and physical

omitted in violation of a law ordering it" (*ibid.* p. 348). We shall postpone considerations of what law means and of whose law is most relevant. The same dictionary (*ibid.* p. 1628) tells us that violence means, "physical force used so as to injure or damage; roughness in action." Violence can also be ". . . natural or physical energy or force in action; intensity; severity: as, the *violence* of the storm." Corruption is, ". . . a changing or being changed for the worse; . . . evil or wicked behavior; . . . bribery. . . . decay; rottenness . . . " (*ibid.* p. 332). I differentiate between crime and corruption because, even though many forms of corruption are typically criminalized in most countries, there is an interesting gray area of ethical misconduct, which—although technically not criminal—may be widely perceived as corrupt. Similarly, I differentiate between crime and violence, because various forms of violence—as I use the term—are not considered criminal, and many types of crime are nonviolent.

My research question is: What are the relationships between public security and democratic governability? Democracy in the Schumpeter-Dahl conception focuses on processes that govern access to power and the accountability of governments to electorates (Dahl 1971, chapter 1). Apart from the protection of key civil rights, that approach has relatively little to say about the functioning of state institutions.[4] But coherent state institutions and policy-making capacity are keys to governability, understood as " . . . the ability of a government to allocate values over its society, to exercise legitimate power in the context of generally accepted rules" (Bailey and Godson 2000, p. 7). Thus, we need to differentiate between the nature of the political regime (e.g., democracy, authoritarianism, totalitarianism and the like) and the bureaucratic institutions and policy processes that give the state the power to allocate values (Mazzuca 2000; O'Donnell 2001). Regime, in this sense, refers to the rules of the game about how power is acquired (e.g., popular election, lottery, inheritance, etc.) and how government relates to civil society. State refers to the administrative and judicial apparatus. Democratic governability encompasses not only how power is achieved and the rules of the game (democratic regime) but also the exercise of power (governabilty).[5] More on this in later sections.

Models of Positive and Negative Equilibrium
In what ways does public security interact with democratic governability? I posit two basic models as points of departure. The first depicts a positive equilibrium, and the second a negative one. As shown in Figure 1, in a situation of positive equilibrium we begin with three overlapping clusters of complex phenomena (crime, violence and

injury or psychological trauma suffered by a person or persons due to natural disasters, such as earthquakes, fires, floods, and the like.

[4] Although Dahl (1971, p. 3) includes "Institutions for making government policies depend on votes and other expressions of preference" as a requirement for democracy. Presumably, he implies two things here: (1) there are institutions that make and implement policies, and (2) these institutions are accountable to a democratic regime that, in turn, is accountable to an electorate.
[5] Bresser Pereira and Nakano (1998, p. 36, n. 20) make another useful distinction: "Governability—the effective power to govern—does not assure governance, the quality and effectiveness of government action." As will become clear, I am more interested in the capacity of the state to voluntarily persuade or impose its versions of law than I am in assessing quality or effectiveness of policy in a larger sense.

corruption) and two causal paths (direct and mediated linkages) connecting the clusters to two more complex and interconnected phenomena (regime and state). The public security cluster is viewed as embedded in civil society (shaded area); state and regime are differentiated from civil society.

Figure 1 in the Appendix

My premise is that it is useful to differentiate analytically among types of phenomena in the public security cluster. Thus, some types of violence are not usually considered criminal: e.g., parental discipline over children, contact sports, self-defense, earthquakes, flooding, or other forms of natural disaster (shown as #1 in Figure 1). The threat, or actual commission, of many forms of violence is typically criminalized: e.g., assault, homicide, robbery, rape, kidnapping (shown as #2). Many other forms of crime may be nonviolent: e.g., embezzlement, fraud, gambling, speeding, jay-walking, tax evasion (#3). I want to reserve corruption to "evil or wicked behavior" that occurs within the regime or state, or between these and civil society. Many forms of corruption are criminal and nonviolent: e.g., consensual bribery, profiting on privileged information (#4). The notion of violent, criminal corruption is awkward, because we usually think of corruption as an alternative to violence. In the positive equilibrium model, we might think of violent, criminal corruption (#5) in the case of rogue state agents who threaten or use force to extort citizens or other state agents. Finally, various behaviors that might be considered corrupt are not usually criminalized: e.g., exchanging gifts, favors or information for special treatment, making campaign contributions for privileged but unspecified access to public officials (#6).

The first causal linkage (#7) depicts crime, violence and corruption acting directly on state and regime. Tax evasion, intimidation of elected or appointed officials, or bribing a public agent are typical sorts of examples. The second causal linkage (#8) consists of two steps: the first is the impact of crime, violence and corruption on civil society (not shown), and the second step is effects of these acts on attitudes held by members of civil society about their government (state and regime in some combination) and about one another (especially in the sense of interpersonal trust).

In a situation of positive equilibrium, the major feedback loop is "corrective"; that is, government operates mostly ethically and in the main to ameliorate problems of public security.[6] But some government agents will also exacerbate these problems to some extent by, e.g., soliciting bribes, violating civil rights, or abusing their authority for personal gain. Some public officials engage in corruption to some degree some of the time. Also, regime features themselves may foster crime or corruption.[7] But the "corruptive" feedback mechanism is of lesser importance. Not shown in the figure, but consistent with the logic, both feedback mechanisms also operate through direct and

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[6] I set aside for the moment the ways in which civil society acts to ameliorate or exacerbate problems of public security.
[7] Brief examples may suffice for the time being: Lack of expertise or other resources by auditing agencies promotes corruption; extensive state intervention in the economy creates more opportunities for rent-seeking than minimum intervention.

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mediated linkages. That is, state and regime take real actions and their actions are also filtered by perception.

The positive equilibrium bias suggests that crime, corruption and violence originate mainly in civil society and act on state and regime. Implicit here, but enormously important, is the differentiation between public and private, between government and civil society. The former responds primarily with corrective measures to problems originating in the latter. This is how we like to think that "developed" or consolidated democracies deal with "normal" volumes of crime, corruption and violence.

How might we conceptualize the unfortunate, but all too common, state of affairs in which state and regime themselves act as principal engines of crime, violence and corruption?[8] This is the case of "negative equilibrium," as depicted in Figure 2. In this model elected and appointed officials as a general practice behave unethically and commit crimes and/or take the initiative to prey upon civil society in a variety of ways in order to extract resources or command obedience outside the formal law. They may do so directly or in coalitions with societal allies. The essential public-private differentiation is blurred or missing altogether; individuals pursue private ends while exercising public duties. In the worst case, the corruption is orchestrated from the top and permeates regime and state institutions. The state and/or regime may intentionally use its instruments of violence (e.g., police, army, intelligence service, paramilitaries) to intimidate society, or rogue state actors can operate independently from political leadership. Though victimized, civil society is typically characterized by apathy, opportunism and cynicism. In this negative model state and regime are unable to correct themselves and therefore unable to correct problems of public security. The major feedback loop emanates from civil society and emphasizes "corruptive" collusion with state and regime; the "corrective" feedback loop is relatively weaker.[9] The negative equilibrium model implies sufficient order and coherence to be differentiated from a "failed state," or one in which state and regime are largely irrelevant and minimal order is lacking. That is, state and regime can make the Weberian claim to monopolize violence (whether or not they can effectively exercise it).

Figure 2 in the Appendix

To set the stage to think more dynamically, these ideal-type models of negative and positive equilibrium might be reformulated in a simple 2 X 2 typology, ordered by institutional coherence and ethical orientation. We set aside for the time being concerns

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[8] This was made vivid to me in a seminar on corruption in Cordoba, Argentina (March 2002), in a discussion of Klitgaard's principal-agent-client model (Klitgaard 1988, pp. 69-74). The logic of the model is that the principal seeks means to control an agent, who might be enticed into corruption by a client. A participant commented to the effect that the model was interesting, but how does it work when the principal is the most corrupt point and dominates the triangle?

[9] The figure depicts a kind of "security trap" of self-reinforcing negative dynamics. Bayart et al. (1999, pp. 25-26) suggest interesting indicators of what they call the "criminalization of politics." The key idea is " . . . the macroeconomic and macropolitical importance, as distinct from the occasional or marginal role, of [criminal] practices on the part of power-holders and of these activities of accumulation in the overall architecture of a given society" (p. 26). They do not, however, offer empirical indicators or thresholds.

about violence and focus on crime and corruption and introduce yet another variable: The institutional capacity of regime and state. The horizontal dimension of Table 1 depicts the degree of institutional coherence and bureaucratic capacity of state and regime; the vertical dimension (echoes of Aristotle) depicts "good governance" (legality, anti-corruption) versus "bad governance," or an ethical bias favoring crime and corruption. Model 1 in effect adds a feature (state and regime effectiveness) to the positive equilibrium logic of Figure 1. It is not logically necessary that less coherent and capable democracies are more corrupt (Model 2, from Figure 2), but corruption—which may improve service to a specific person or group--usually impedes efficient bureaucratic service to the public at large. One could imagine cases of highly corrupt democracies that are institutionally coherent and administratively competent (Model 3)[10], or cases of high civic virtue operating ethically in poorly designed and functioning democracies (Model 4). But my sense is that we shall find an elective affinity between "Northwestern" (Model 1) democracies and positive equilibrium, and between "Southeastern" (Model 2) democracies and negative equilibrium. Model 4 cases may be more interesting in terms of historical origins, while Model 2 could apply to both historical and contemporary cases.

Table 1 in the Appendix

In the section on macro-level issues, I return to hypothesize about these models and the dynamics of change. To preview, my hypothesis is that notions of "tipping points" and thresholds will prove more useful than notions of linear evolution from one type to another. That is, political systems that achieve positive equilibrium typically create mutually reinforcing dynamics to preserve this condition. Unfortunately, systems that begin in, or fall into, a "security trap" similarly create mutually reinforcing dynamics.

Returning to the positive equilibrium model, my sense is that we have an abundant, but uneven, literature on the direct effects of crime, violence and corruption on democracy and state institutions. The task is to synthesize and theorize these findings more systematically. In contrast, we are at the early stages of researching the linkages as mediated by perception (i.e., linkage #8 in Figure 1; or the feedback mechanisms as perceived). In other words, we know rather little about how the crime/corruption/violence clusters are *perceived by different individuals and groups and how these perceptions are related to support for state and democracy, and for interpersonal trust*. Similarly, we know relatively little about how *perceptions of state-regime responses influence attitudes and values*.

Perceptions are important for two reasons. First, and more importantly, the public security concepts themselves are typically defined according to diverse scholars' notions of what constitutes crime, violence and corruption, and how these might be classified and connected to the scholars' own particular notions of democracy. Much of the work,

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[10] It is easier to imagine competent but corrupt subgovernments, such as provinces or cities, than national-level cases. I suggest later that, in most cases, the subnational level is the more useful optic on security and governability.

however, is not informed by data on how mass publics or specific groups in different countries and at different times understand the basic concepts. (Thus my reluctance to state elaborate--and limiting--definitions at the outset.) Scattered, but tantalizing, evidence suggests that some kinds of crime are viewed as more serious than others in different countries (Evans and Scott 1984), and that elites are more tolerant of some types of corruption than are mass publics (e.g., Johnston 1998). Bailey and Paras (forthcoming) find that the term "corruption" itself means a variety of very different things to a Mexican survey sample. Further, recent survey work suggests that " . . . most Latin Americans do not conceptualize democracy in the same way as do North American theorists or citizens" (Camp 2001, p. 9). The tendency of Latin American respondents is to view democracy more as the *products* of governance (e.g., economic development or public safety) than the *processes* of governance (e.g., elections or freedom of information). In sum, scholars can impose their concepts to analyze the direct effects of public security problems on state and regime. Their ability to explain and predict will validate their concepts. But with respect to indirect, mediated effects, we need data on beliefs and values that allow us to explore the ways in which crime, corruption and democracy are perceived and interrelated by mass publics and elites. These are emotionally loaded and socially constructed terms and relationships.

Second, and related, scattered findings suggest that citizens' perceptions of crime and corruption do not necessarily correspond with empirical trends (as measured, for example, by police reports or victimization surveys).[11] That is, the real incidence of crime may be stable or falling, for example, but people may "see" crime rates as remaining high, or even rising (Dammert and Malone 2003; Smulovitz 2003). The irony of democratic transition is that competitive parties, more active civil society organizations, and free and competing sources of information bring heightened attention to crime and corruption, and the possible interpretation that democracy itself fosters greater insecurity. For our purposes, then, perceptions are as important as "real" trends. Real trends will have significant direct effects on regime and state, but what people *believe* to be happening (or at least what they say they believe) would have more influence on their attitudes (and probably their behavior) than would "reality."

Making these distinctions among direct acts, perceptions, and state and regime helps us hypothesize more clearly about public security and democratic governability. For example, with respect to legitimacy, I hypothesize that perceptions of crime, violence and corruption influence citizens' support for democracy as a regime, but in an indirect and conflated way.[12] Put simply, as citizens become more concerned about public

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[11] Police reports, of course, have their own inherent biases and may be only remotely connected to reality. Victimization reports also typically distort real trends by, for example, underreporting sex offenses and assault.

[12] The concepts and reasoning here draw on Lipset (1959, p. 77). Democratic stability rests on both the effectiveness and legitimacy of the political system. "Effectiveness means actual performance, the extent to which the system satisfies the basic functions of government as most of the population and such powerful groups within it as big business or the armed forces see them. Legitimacy involves the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society. . . While effectiveness is primarily instrumental, legitimacy is evaluative."

security, they turn to the regime and state to deliver non-corrupt and effective protection and justice. If the law enforcement and justice systems are seen to act effectively to improve public security, legitimacy for both the state and the regime is reinforced. But if the law enforcement and justice agencies are not seen to operate effectively, the legitimacy of both the state and the regime are undermined. That is, perceptions of state capacity influence regime legitimacy. This is much oversimplified, of course. Democracies at an early phase in the transition from authoritarianism might be granted a grace period. Or the source of violence might seem beyond the regime's control.

A related hypothesis is that citizens' perceptions of the fairness and transparency of government decision-making is related to the legitimacy they extend to the regime and to their overall disposition to abide by the state's legal rules. A rather different hypothesis is that trends in crime and corruption also influence broader attitudes, such as interpersonal trust, which in turn influences the nature of civil society and democratic values. Here, as concerns about crime, violence and corruption increase, attitudes of generalized trust decline. Thus, perceptions are important links between the crime and corruption issues and support for democracy, and we need to mine the survey and ethnographic data that can help us characterize those relationships (e.g., Caldeira 1999; Gupta, 1995; Seligson n.d.).

To reiterate, it is useful to hypothesize the basic models as operating in more or less stable equilibria. Positive or negative dynamics tend to establish an inertia, or path dependency, over time. Self-correcting mechanisms in cases of positive equilibrium come to be anticipated; consolidated, effective democracies have a fairly robust "carrying capacity" for crime, violence and corruption. Civil society tolerates some degree of public insecurity, but it punishes governments that are seen as indifferent or ineffectual in the face of levels of insecurity that cross some threshold. Negative equilibrium, unfortunately, may also be inertial. In these cases, government and politics are arenas to be exploited for the benefit of incumbent elites; regulators, police and courts are predatory and corrupt; civil society is weak, disaffected and cynical.

Lenses and Hypotheses
A research program on public security and democratic governability would include at least three levels or lenses. A macro-level approach, sometimes called macro-analytic comparative history, looks at whole-system dynamics, including, for example, the origins of political systems, ways in which state and regime emerge and initiate patterns of action, the introduction of basic institutions and concepts (e.g., presidentialism, common law as formal institutions; clientelism and corruption as informal institutions), and the key events, leaders or ideas that shape the initial trajectory and subsequent major adjustments of the system. A meso-level, or middle-range, approach examines, in a thematic and comparative way, the individual variables and their interrelationships as set out in the models, for example, the ways in which institutional features of democratic regimes influence vulnerability to corruption, the effects of political violence on promoting organized crime, the effects of organized crime on fostering corruption, or the role of the mass media in communicating images to attentive publics. This level could be linked to various types of specific events or cases, e.g., specific thresholds, or "tipping

points" of corrupt behavior in specific administrative agencies; the experience of a particular reform technique, such as internal affairs units in police departments; or the effects of a special curriculum in shaping attitudes about public ethics. The micro level focuses on specific actors, their attitudes, values and behavior.

It is not necessary to undertake the overall research project in a particular sequence. With the models as crude maps, one can look at different aspects of the research question and revise and integrate the findings over time. Given space limits, I shall focus more on macro- and meso-level issues, with an occasional foray into the micro level. Also, limited space compels me to develop the positive equilibrium model more than the negative one.

Macro-level Issues: Origins and Trajectories of Political Systems
The basic questions take us back to the origins of the modern nation-state and of representative democracy. My particular interests focus more on ethics, legality and institutional capacity. What accounts for the differentiation between sacred and secular spheres of life, and then between state and regime and civil society? What explains why the all-important distinction between public versus private comes clearly into being in some systems and less so, or not at all, in others? What accounts for the origins of what O'Donnell (1999, p. 31) calls "republican component" of democracy: " . . . (T)he idea that the discharge of public duties is an ennobling activity that demands careful subjection to the law and devoted service to the public interest, even at the expense of sacrificing the private interests of the officials." Further, why does a citizenry prefer legal-ethical transactions instead of generalized crime and corruption?

O'Donnell (2001, pp.20-21) suggests that we look at the historical processes by which notions of citizenship are linked to ways in which individuals as agents, over generations, acquire bundles of rights that are effectively protected by legal systems. He notes that citizenship and protected rights preceded the origins of democracy as regime in the case of the "Northwestern" democracies. His point is central, I think, and is insufficiently developed in the Schumpeter-Dahl approach. The latter emphasizes key civil rights but directs our attention to "contestation" in the sense of participation through electoral competition. We need to rebalance the approach by emphasizing the origins of law, state and bureaucracy.

To think about this more systematically, Table 1 can be reworked to speculate about likely paths of change. Let us hypothesize that Models 4 and 2 as shown in Table 2 can represent the historical origins of contemporary democracies.[13] (Model 2 can also serve as a contemporary example, in effect, a system that began as incoherent and corrupt and failed to evolve.) Various "paths" of change are depicted in Table 2.

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[13] I set aside for the moment the issue of the historical evolution in the meanings of what constitutes crime and corruption. For example, commissions were purchased in the British army up to the 1870s; anti-slavery sentiments were prohibited in some U.S. states prior to 1865; psychotropic drugs were outlawed in the United States only in the early 20th century. Scott (1972) is a useful discussion of corruption in historical perspective.

Table 2 in the Appendix

Path 1 represents the "high road," a low coherence-positive Model-4 system that evolves into a coherent-positive Model-1 system. Path 2 depicts the evolution of low coherence-positive toward coherent-corrupt (Model 3). Path 3 depicts a low-coherence system that crosses an ethical threshold from ethically positive to ethically corrupt. Path 4 is a happier journey from low coherence-corrupt origins to an coherent-positive situation, while Path 5 suggests a "low-road" journey from low coherence-corrupt origins to a coherent-corrupt situation. Path 7 is the transition from coherent-corrupt to coherent-ethical, and Path 8 is the reverse route: a coherent-ethical system that crosses a threshold of corruption. The Table is simplistic, but it helps us envision logical possibilities.

I return to issues of origins and trajectories below, but this is a useful point at which to unpack the notions of state and regime, and to take up questions of what is law and whose law prevails with respect to what behaviors are considered criminal, violent, or corrupt. Joel Migdal (2001, pp. 15-16, 22) takes a state-in-society approach, which I find useful:

> The state is a field of power marked by the use and threat of violence and shaped by (1) *the image of a coherent, controlling organization in a territory, which is a representation of the people bounded by that territory*, and (2) *the actual practices of its multiple parts*. [emphasis in the original]
> In brief, the state is a contradictory entity that acts against itself. To understand domination, then, demands two levels of analysis, one that recognizes the corporate, unified dimension of the state—its wholeness—expressed in its image, and one that dismantles this wholeness in favor of examining the reinforcing and contradictory practices and alliances of its disparate parts. . . . . [The state] must be thought of at once (1) as the powerful image of a clearly bounded, unified organization that can be spoken of in singular terms . . . as if it were a single, centrally motivated actor performing in an integrated manner to rule a clearly defined territory; and (2) as the practices of a heap of loosely connected parts or fragments, frequently with ill-defined boundaries between them and other groupings inside and outside the official state borders and often promoting conflicting set of rules with one another and with "official" law.

Migdal's approach nicely captures the notion of an ongoing negotiation between agents claiming to act in the name of "the state" and individuals representing themselves or other entities (families, clans, factions, religions, gangs, etc.) over what rules will be followed under what circumstances. Strong states, those that rank higher on measures of compliance, participation and legitimacy (*ibid.*, p. 52), presumably exercise more social control and can better convince or coerce other societal aggregates to accept "official" versions of the law. Weak states, in contrast, negotiate their claims less effectively. In these cases, "the law" approximates custom or convention as these are understood in corporate boardrooms, shantytowns, or remote hinterlands. "Law enforcement" and "justice" can be highly institutionalized, in the sense of valued, recurring behavior, or

improvised on the spot. But in either case it has little or nothing to do with state preferences.

There remain at least two additional questions about the state, one external and the other internal. First, by what process is the mélange of state activities and organizations differentiated from the soup of civil society organizations?[14] Put another way, why and how does the distinction between public and private come about (or not)? In approaching this, Mitchell (1991) makes a persuasive case to abandon the search for boundaries between entities called "state" and "society." That is, we should avoid mental images of discrete entities bouncing off one-another, like billiard balls. His central idea is that

> . . . (T)he boundary of the state (or political system) *never marks a real exterior*. The line between state and society is not the perimeter of an intrinsic entity, which can be thought of as a freestanding object or actor. It is a line drawn internally, *within* the network of institutional mechanisms through which a certain social and political order is maintained.
> . . . . The power to regulate and control is not simply a capacity stored within the state, from where it extends out into society. The apparent boundary of the state does not mark the limit of the processes of regulation. It is itself a product of those processes (*ibid.* p. 90; emphasis in the original).

Mitchell, invoking Foucault, points us toward historically grounded, specific processes by which new techniques of organization, new ways of arranging space, and new ways of inculcating predictable behavior are achieved. Much oversimplified, the point is that new behaviors (Foucault's "disciplines") are learned, which predispose individuals in multiple settings throughout society to take into account the state and, presumably, state notions of ethics and legality.

> Disciplines work within local domains and institutions, entering into particular social processes, breaking them down into separate functions, rearranging the parts, increasing their efficiency and precision, and reassembling them into more productive and powerful combinations. The methods produce the organized power of armies, schools and factories and other distinctive institutions of modern nation-states. They also produce, within such institutions, the modern individual, constructed as an isolated, disciplined, receptive, and industrious political subject. Power relations do not simply confront this individual as a set of external orders

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[14] Schmitter (1999, p. 240) usefully defines civil society as: ". . . a set or system of self-organized intermediary groups that: 1) are relatively independent of both public authorities *and* private units of production and reproduction, that is, of firms and families; 2) are capable of deliberating about and taking collective actions in defense or promotion of their interests or passions; 3) do not seek to replace either state agents or private (re)producers or to accept responsibility for governing the polity as a whole; and 4) agree to act within preestablished rules of a 'civil' nature, that is, conveying mutual respect." I set aside for the time being the question of how civil society becomes differentiated from family, clan and economic survival networks.

and prohibitions. His or her very individuality, formed within such institutions, is already the product of those relations (*ibid*. p. 93).[15]

The logic appears to be that coherent, effective institutions contribute to the formation of citizens through complex processes of socialization. This modern, disciplined, "industrious political subject" carries about in her consciousness notions of public and private as she traverses social settings, moving from one role to another. Presumably, where family, clan and friendship networks command stronger allegiance than state or civil society across social settings and through different public and private roles, then private loyalties, in forms such as clientelism and cronyism come to prevail. Note that this approach to reasoning about the state is different from but congruent with O'Donnell's emphasis on citizen as democratic agent with bundles of rights acquired over generations that are effectively protected by the legal system, which is a key feature of the state. It stands to reason that the acquisition of rights that are protected by a legal system would teach one about public-ness. I return to this point in the discussion of constitutional guarantees.

Second, assuming that a public-private distinction comes about, why does a "republican component" take root, the ethical disposition that public posts and activities require service to a broader citizenry? Why do public officials in some circumstances come to believe that they should <u>not</u> use their positions for personal gain? Institutional arrangements to oversee and check the inevitable ethical lapses are clearly important, but somehow less interesting. The accumulated wisdom about oversight systems, checks and balances and the like, is encyclopedic, from the Old Testament through Federalist 10. But the most elaborate architecture of control serves little useful purpose if it is staffed top to bottom by unethical agents. The origin of positive ethics is both more interesting and more elusive. A hypothesis that positive ethics are a product of the interaction of a well-educated career service with societal-wide norms of professionalism tells us nothing about origins of socialization processes and educational systems that promote such ethics or about professions that reinforce such norms.

To recapitulate, my questions are: What accounts for the public-private differentiation, and what explains law-abiding and public-regarding ethics and behavior by public officials? With respect to the origins of the modern state and its differentiation from civil society, Max Weber (1978, p. 882) suggests an evolution in the nature of law:

> From a theoretical point of view, the general development of law and procedure may be viewed as passing through the following stages: first, charismatic legal revelation through "law prophets"; second, empirical creation and finding of law by legal honoratiores, i.e., law creation through cautelary jurisprudence and adherence to precedent; third, imposition of law by secular or theocratic powers; fourth and finally, systematic elaboration of law and professionalized administration of justice by persons who have received their legal training in a learned and formally logical manner. From this perspective, the formal qualities of the law emerge as follows: arising in primitive legal procedure from a

combination of magically conditioned formalism and irrationality conditioned by
revelation, they proceed to increasingly specialized juridical and logical
rationality and systematization, sometime passing through the detour of
theocratically or patrimonially conditioned substantive and informal expediency.
Finally, they assume, at least from an external viewpoint, an increasingly logical
sublimation and deductive rigor and develop an increasingly rational technique in
procedure.

Weber is clear that various forms of law can operate simultaneously and interact in a
given social order.

Also, Weber's discussion of bureaucracy in the context of forms of domination
goes to the all-important differentiation between public and private within the state.
Bureaucracy is found in various forms throughout history. It is a form of organization in
which functions are defined by written rules; activities are prescribed by official duties;
recruitment and promotion of officials are tied to training and seniority of service;
hierarchy and channels are clearly established; and office management is based on
written documents, the files. It is the modern, secular form that is most relevant to the
modern state. In the modern form, office-holding is a <u>vocation</u>, that is, a calling, which
implies powerful ethical overtones. The person does not consider the office as a source
of personal income in exchange for services.

> Rather, entrance into an office, including one in the private economy, is
> considered an acceptance of a specific duty of fealty to the purpose of the office . .
> . in return for the grant of a secure existence. It is decisive for the modern loyalty
> to an office that, in the pure type, it does not establish a relationship to a *person*,
> like the vassal's or disciple's faith under feudal or patrimonial authority, but
> rather is devoted to *impersonal* and *functional* purposes.
> In principle, the modern organization of the civil service separates the bureau
> from the private domicile of the official and, in general, segregates official
> activity from the sphere of private life. Public monies and equipment are
> divorced from the private property of the official. This condition is everywhere
> the product of a long development (Weber 1978, pp. 959, 957; emphasis in the
> original).

Implicit in this model of bureaucracy, the incidence of corruption should be
relatively limited and isolated to the specific "bad apples" who lack vocation. Why does
this form of bureaucracy come about in some societies and not in others? Weber
sprinkles hints throughout his discussion but does not offer a succinct theory. He
suggests as relevant: the elevated social esteem of the official, the emergence of
university education and modern professions, formal titles, the breadth and complexity of
public duties, the monetization of the economy and a relatively effective tax
administration, and the requirements of an advanced capitalist economy.[16] Weber

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[16] The role of interstate wars in producing effective bureaucracies and tax systems is an important, well
developed line of argument. See, e.g., the essays by Ardant and Finer in Tilly (1975). Centeno (2002)
draws on the war-making hypothesis to account for the weakness of states in Latin America. Foucault

emphasizes that modern bureaucracy is everywhere a relatively late development, which usually accompanies a social leveling and modern mass democracy. In contrast,

> Any non-bureaucratic administration of a large social structure rests in some way upon the fact that existing social, material, or honorific preferences and ranks are connected with administrative functions and duties. This usually means that an economic or a social exploitation of position, which every sort of administrative activity provides to its bearers, is the compensation for the assumption of administrative duties (*ibid.* p. 983).

Thus, in the absence of some degree of social leveling and mass democracy, and with the persistence of inequality, incentives for non-bureaucratic, personalized fee-for-service administration would hold.

Finally, Weber does not focus on issues of corruption and ethics in public service *per se*. An interesting hint, he points to ethical codes that attach to status groups that take on public duties. With regard to the origins of bureaucracy in patrimonial systems, we find the example of the English justices of the peace. "Like all royal officials, the justice of the peace took fees and received daily allowances. But in view of the low income involved it became the status convention of the landowners to decline fees. . . . . Henceforth the office was an unpaid position whose obligatory assumption was formally a liturgy for qualified aspirants, often to be discharged for only a short period" (Weber 1975, p. 1060). Weber's explanation (*ibid.* p. 1063) is vague, referring to "the peculiar 'spirit' of the English gentry," which derives from "specific manorial and feudal antecedents. . . . This trait [the manliness of the Anglo-Saxon Gentleman] comes to the fore mainly in the formal strictness of the conventions, in the vigorously developed pride and sense of dignity, and in the social importance of sports which in itself is conducive to formation of a status group." This spirit emerged before the penetration of Puritanism, and formed the basis of the modern type of gentleman. Apart from the example, the broader point would seem to be that at some early point in state-formation some status

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(1977, p. 222), in his discussion of the "economy of power," is more historically specific about the relationships between state, regime and society: "Historically, the process by which the bourgeoisie became in the course of the eighteenth century the politically dominant class was masked by the establishment of an explicit, coded and formally egalitarian juridical framework, made possible by the organization of a parliamentary, representative regime. But the development and generalization of disciplinary mechanisms constituted the other, dark side of these processes. The general juridical form that guaranteed a system of rights that were egalitarian in principle was supported by these tiny, everyday, physical mechanisms, by all those systems of micro-power that are essentially non-egalitarian and asymmetrical that we call the disciplines. And, although, in a formal way, the representative regime makes it possible, directly or indirectly, with or without relays, for the will of all to form the fundamental authority of sovereignty, the disciplines provide, at the base, a guarantee of the submission of forces and bodies. The real, corporal disciplines constituted the foundation of the formal, juridical liberties. The contract may have been regarded as the ideal foundation of law and political power; panopticism constituted the technique, universally widespread, of coercion. It continued to work in depth on the juridical structures of society, in order to make the effective mechanisms of power function in opposition to the formal framework that it had acquired. The 'Enlightenment,' which discovered the liberties, also invented the disciplines."

groups adopt public-regarding and self-reinforcing codes of ethics that they take into the performance of public duties.

Let us move on from this unsatisfactory reflection on the origins of public-regarding ethics in the modern state to the seemingly firmer ground of regime. As previously noted, the Dahl-Schumpeter approach focuses on procedures and a (seemingly) narrow range of constitutional guarantees. I choose to opt for a broader notion, one that includes values and norms, as well as formal institutions. Though systems analysis has fallen out of fashion, its notion of regime as an object of support in the broader political community (with all its baggage of socialization, beliefs and values) is useful here.

> The regime as sets of constraints on political interaction in all systems may be broken down into three components: values (goals and principles), norms, and structures of authority. The values serve as broad limits with regard to what can be taken for granted in the guidance of day-to-day policy without violating deep feelings of important segments of the community. The norms specify the kinds of procedures that are expected and acceptable in the processing and implementation of demands. The structures of authority designate the formal and informal patterns in which power is distributed and organized with regard to the authoritative making and implementing of decisions—the roles and their relationships through which authority is distributed and exercised (Easton 1965, p. 195).

Applied to democracy, this notion of regime takes us substantially beyond a modest (processural) meaning and into one that embeds formal institutions into a context of informal institutions, as well as broader values and beliefs. The informal institutions can include clientelism and corruption, of course, as well as positive ones, such as civilian supremacy, separation of religion from secular affairs, and the like. This inclusion of values and norms is consistent with the suggestion earlier of the need to focus on perceptions of crime, violence and corruption by mass publics and specific groups.

The problem with the Eastonian formulation, for which I have no immediate solution, is that I shall want to draw a distinction between processes and institutions of choosing a government, holding it accountable, and formulating policies as differentiated from implementing policy and adjudicating cases. Implementation and adjudication shine the light on the bureaucracy and the courts. I shall make a case that police, judges and regulators play central roles in the dynamic of positive and negative equilibrium.

I conclude this section with an obvious point. There are relatively few cases that originate in pre-modern forms and evolve successfully as modern states, and even fewer of these that evolve as modern democratic states. The great majority of contemporary nation-states are products of conquest, colonization, and diffusion of ideas and institutions. In most cases, however, we ought to be able to identify "founding moments" and "crucial junctures." Countries gain their independence; leaders write constitutions;

political movements mobilize to purge the corruption from their governments. At these points we need to focus on variables that explain state- and regime-related factors that contribute to public-regarding ethics. In many cases we shall be pursuing answers to contra-factuals: Why did reform movements <u>not</u> appear, or--if they did--why did they fail?

<u>Meso-level Issues: Relationships among Variables</u>
What are interrelationships among crime, corruption and violence, and what are the direct and mediated effects of these on democracy and the state? What are direct and mediated effects of initiatives or responses taken by regime and state on crime, violence and corruption? An efficient strategy to explore these questions is to examine the "core functions" of state and regime in relation to threats posed by crime, violence and corruption. At a minimum, the modern state is expected to: extract resources (especially through taxation), field an army (defend territorial integrity), administer the law (monopolize legitimate coercion internally), protect the minimum welfare of the citizenry (avoid mass starvation, generalized ignorance), and conduct a foreign policy. Core requisites of democracy include: competing parties, periodic elections, maximum feasible suffrage, and protection of key constitutional guarantees. These notions can be summarized before moving on to consider the nature of public security.

Resource Extraction
Especially important in the contemporary, monetized economy is the state's ability to levy and collect taxes. This involves a two-part process: a state apparatus with the bureaucratic capacity and appropriate ethics to administer the tax code, and a civil society with some acceptable disposition to pay. Obvious as it might seem, the relative ability of the state to extract resources through taxation lies at the heart of its ability to attend to its core functions.

Monopoly of Legitimate Coercion
In a narrow sense, this refers to the capacity of state coercive forces to prevent civil society organizations from overthrowing the state and regime, from redrawing national boundaries, or from exercising state functions over a significant amount of territory on an ongoing basis. This puts the focus on state agents of coercion (police, military and internal intelligence) and agencies that administer the law (regulators, prosecutors, courts, prisons and rehabilitation agencies). We have here a two-part dynamic: the volumes and intensity of crime, violence and corruption on one side, and the capacity and legitimacy of state and regime on the other. In "normal" cases we are especially interested in types of crime and corruption targeted on the regulators, police and military, as well as on the judicial apparatus. In abnormal (negative-equilibrium) cases we are concerned with circumstances that lead to levels of crime and violence that overwhelm law enforcement or that produce internal wars between governments and oppositions.

Parties and Elections
With respect to democracy as regime, the first test is the capacity of the state to organize electoral competition that meets internal and external threshold standards of legality. Fairness, as opposed to legality, is a different and more challenging issue. With respect

to governability, the second test, we consider at least two basic dynamics. The first is the relationship between decision-making efficiency (and effectiveness) and representativeness in the party-electoral system. The second is the cleavage structure of the society. Some institutional rules promote representativeness in the party-electoral system (e.g., easy access to the ballot, low threshold to qualify for legislative seats, open-list proportional representation, and decentralized federalism); others promote efficiency by forcing a majority (e.g., single-member district plurality, second-round run-off elections, unitary administration). This complex relationship between party-electoral arrangements and regime-state efficiency and effectiveness has not been extensively researched, to my knowledge. Cleavage structures run the gamut from the relatively homogeneous (e.g., Japan, Argentina) to the relatively heterogeneous (e.g., Nigeria, India). In all, the test of democratic governability is the institutional capacity of the party-electoral arrangements to satisfy standards of legality and some threshold levels of representativeness and policy-making coherence. (Carey 1997)

Constitutional Guarantees
The procedural notions in the Dahl-Schumpeter approach seem fairly straightforward, with goals to: formulate preferences, signify preferences, and to have preferences weighted equally in the conduct of government (Dahl 1971, pp.2-3). But we must return to the central point that O'Donnell has developed over several years. The realization of procedural guarantees of democracy assumes a set of laws administered by courts and related regulatory bodies, which are manifestations of the state. Further, their realization presumes a notion of agency, of the citizen as one endowed with practical reason, one who has sufficient knowledge and motivation to make choices with some understanding of their consequences and who can actually exercise the right to make choices. In the case of the early-developing "Northwestern" democracies, notions of protected rights evolved over generations before the extension of the suffrage to successively broader strata of society.

> The idea of agency became deeply and widely embodied—basically in the shape of what today we call civil rights—in the legal systems of the originating countries well before this same idea was transposed by liberalism into the political realm. In these countries, the implantation of agency in the legal system developed in tandem with the emergence of capitalism and the making of national states. This sequence, of implantation of civil rights and guarantees of liberal constitutionalism before these countries adopted the universalistic democratic wager, significantly tempered the perceived risks of the wager (O'Donnell 2001, p. 20).

> Further, notions of agency, and the degree to which rights and responsibilities become embedded in civil society, affect the quality of democracy.

> By definition, all political democracies have a central set of political freedoms. However, in some countries these freedoms are surrounded and supported by a dense web of civil rights; in other countries, instead, civil rights are unevenly distributed across different kinds of individuals, social categories, and regions.

These differences, which may be mapped across cases and time, should have a strong bearing on what we might call the depth or degree of civil and legal democratization, or the overall quality of democracy (*ibid*. p. 21).

For present purposes, the point about rights protected by a legal system raises at least two sets of issues that are closely interrelated in reality but need to be separated analytically. I refer to inequality and insecurity. First, with respect to inequality (be this status, as in race or gender, or socioeconomic, as in education or income), is there some threshold of status or class inequality below which individuals cannot operate as citizens, i.e., as democratic subjects who can reason, gather information, vote or otherwise signify preferences? With respect to the courts, for example, do citizens have equal access and are they treated equally in legal processes? Is there a threshold of inequality below which citizens cannot exercise their civil rights?[17] If so, is there a minimum "compensatory agenda" that state and regime should promote in order to create minimum conditions for democracy as regime? Second, and central to the present inquiry, are there thresholds of crime, violence and corruption that create contexts of insecurity in which citizens cannot choose or cannot exercise essential civil rights? What are these thresholds? Which citizens are affected? In what specific ways does insecurity interfere with the exercise of rights?

Excursus on Illegality and Informality
Before analyzing varieties of crime in relation to state and regime, I need to make a brief detour into civil and economic society to connect a central problem to our interest in security and democracy. How can we make sense out of the reality that a good deal of economic and social activity in the public sphere, perhaps even the majority, operates "off book," outside the lawful regulation of the state (although usually within the corrupt reach of state agents)? This reality comprises an enormous universe of activity that ranges from the teenage babysitter who fails to declare his annual cash wage as income for purposes of taxation, to the unlicensed, uninsured (e.g., for social security or workman's compensation) cleaning crew that services the uptown multinational corporation, to a reasonably well organized band of cargo hijackers, to the classic "stationary bandit," the large-scale, well managed criminal group that controls a territory and practices systematic corruption and intimidation of public officials. All operate outside the state's law. Obviously, however, we need to distinguish among those who innocently subsist at the margin, those who deliberately burrow underground to avoid taxation and regulation, and those who assault, rob and intimidate others.

The International Monetary Fund's new system of National Accounts (SNA 93) differentiates among three types of "non-observed" activity for purposes of classifying employment. The distinctions are subtle and tend to overlap, but the main types are (1)

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[17] The questions take us onto the terrain of educational psychology and anthropology. At what point do illiteracy and innumeracy affect a person's reasoning to the extent that s/he cannot make reasoned choices? At what point does poverty negate the citizen's ability to exercise the sorts of rights set out in the procedural approach. The promoters of an expansive conception of democracy as regime (myself included) need to be able to demonstrate empirically to the defenders of parsimony that thresholds can be identified and somehow measured.

illegal (common sense criminal), (2) *informal* (menial or marginal economic activities), and (3) *underground* (designed to avoid taxes or regulation). The first and third types are most interesting for our purposes, as is the larger-scale informal activity.

First, illegal labor is " . . . labor employed in activities that are inherently illegal or criminal" (Tanzi 2000, p. 202). The point is not developed, but some types presumably are standard across most countries, e.g., homicide, assault, armed robbery, etc. Other types, such as gambling, prostitution, insider trading or trafficking and consumption of some types of drugs will vary among countries.

Second, informal labor, according to the International Labor Organization, is activity whose primary objective is to generate employment and income to the persons involved.

> These [informal] units typically operate at a low level or organization, with little or no division between labor and capital as factors of production and on a small scale. Labor relations—where they exist—are based mostly on casual employment, kinship or personal and social relations rather than contractual arrangements with formal guarantees (quoted in Tanzi 2000, p. 202).

The primary rationale of informal labor units is not to evade taxes or social security contributions. In fact, much informal labor operates below the tax or social security payment threshold. Estimating the size of the informal sector is difficult, but it constitutes a large part of developing (including post-Communist) economies.

> The third category is *underground labor*. This category should include individuals who enter certain activities with the explicit intention of avoiding taxes or some regulations. It also includes activities that may have started as informal but that have achieved a size or a level at which taxes should be paid and regulation should be observed. Those who have operated in a tax-free environment (as informal activities) may not show much enthusiasm toward entering the world of taxation (Tanzi 2000, p. 204).

Economists are more interested in these categories in relation to gathering accurate employment statistics; also, they invite us to explore the nature of the economy in relation to whether activities tend toward the informal (as do underdeveloped economies characterized by small-scale activities) or toward the underground (the case of more developed economies with larger, better organized units of production). At some point, the inquiry into democratic governabilty may need to include characteristics of the economy as a category in comparing systems. But for present purposes, the main interest is the potential that types of economic activity have for committing crimes or generating corruption in both state and regime and in civil society.

The implications of illegal and underground activity would seem straightforward. General police and specialized regulatory agents (e.g., tax, public health or building inspectors) confront the incentive to negotiate bribes to permit (or even protect and

promote) illegal and underground activities. Police and regulators must necessarily set enforcement priorities, given finite time and resources. This is a universal reality. The question is, under what circumstances do they collude with criminals (i.e., accept or extort bribes, co-organize illegal activities, etc.). Part of the answer would seem to lie in the scope and limits of crime and corruption that a society tolerates, as determined through a political process involving mass media, public opinion, interest groups, social movements, and—ultimately—an electorate. The analytic task is to determine those illegal activities that may be condoned (e.g., small-scale tax evasion, generalized speeding, discreet prostitution, immigration violations), those that may be generally condemned (e.g., homicide, kidnapping, rape), and those that may be contested (e.g., aggressive tax avoidance, domestic violence, nonviolent civil disobedience, land use or environmental violations).

Informality presents a more complicated problem as some aspects of it overlap illegality and tax evasion. The problem in many cases is three-fold. First, informal labor is generally condoned by society on grounds of practicality and necessity. Where the state's regulatory regime is complex and cumbersome and the formal economy fails to generate enough employment, the informal economy plays a vital role. Also, stalwart citizens may routinely turn to the informal market for menial services (e.g., house cleaning, lawn care, child care, etc.). Second, the informal sector is quite large and complex in many developing economies, constituting up to half of the labor force and some large portion of Gross Domestic Product. By operating outside the legal regulatory regime, informal activities both deny the state substantial tax revenues and can generate corruption wherever they come into contact with state agents, depending on the ability and disposition of the police and regulators to negotiate bribes. In many systems, sidewalk vendors, windshield washers, and panhandlers typically pay "rent" for use of a given public space. As the scale of the operation grows, the size of the "rent" (and its corrupting effect) increases. Consider the common example of street markets that include—or even specialize in--sales of smuggled or stolen goods. Oftentimes the police protect the market (and may even direct traffic). Here the informal market corrupts on a broader scale and connects organically with the criminal market. Finally, widespread informality would seem to habituate a society to conduct a wide range of activity without regard to the state's law. The implications of this are wide-ranging, but at a minimum it would seem to "discipline" individuals to move almost seamlessly between formal and informal exchanges, according equal legitimacy to both (or to neither).

All of this goes to the point that we need ways to conceptualize crime that can differentiate among various types and relate these to state and regime. Some "hard core" of criminal activity may be apparent across virtually all contemporary societies. But large categories of criminal activity are socially constructed and are negotiated through political, administrative and inter-personal processes.[18] I summarize some types and relationships in the discussion that follows.

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[18] Wilson and Herrnstein (1985, p. 22) summarize the work of anthropologist Graeme Newman, who studied six societies in depth and found that some practices were condemned in all cases but that others, e.g., abortion and homosexuality, were not. "Newman's finding merely reinforces a fact long understood

At this point, it is useful to posit relationships in a summary fashion and point out examples of hypotheses that warrant priority attention given our interest in democratic governability. Figure 3 sets out direct linkages between types of crime and corruption (violence is implied in many of these) and the society and political system.[19] The horizontal axis (left to right) depicts the political nature of the criminal act. The act may affect civil and economic society (e.g., blue-collar offenses such as auto repair fraud, violent crimes such as armed robbery) with little apparent political relevance. An act becomes "political" as it affects behavior by public officials in terms of specific decisions or applications of a policy (e.g., bribery). Political salience increases as the act affects the regime and state. Thus, in successive levels crime can affect the individual state agent (or agency) and a particular decision (or policy); at a higher level, crime can damage the regime through its effects on the procedural guarantees discussed above; and in its most serious forms, it can undermine the state through its effects on basic state institutions and functions.[20]

Figure 3 in the Appendix

The vertical axis (top to bottom) depicts the organizational complexity of the act, from simple-individual to complex-organized. Note that Figure 3 refers to criminal *acts* and not to specific actors. Further, I have in mind here the direct target of the act and not possible effects of the act. We shall find a rough correspondence between the nature of acts and types of actors that commit them. Organizationally simple acts are typically carried out by single individuals or by small, spontaneous groups. Atomized crime, however, should not be considered somehow less important for the polity. If the behavior is widespread, e.g., tax or regulatory evasion or violations, their combined effects can be quite significant. Criminal acts at the middle range of complexity tend to be committed by larger and better-coordinated, continuous groups, taking us into the terrain of organized crime. The most complex crimes, in the sense of extension of organization, occur at the national and transnational levels. Also, the figure is composed to differentiate between nonviolent financial and regulatory offenses (far left column) and those that suggest violence against persons or institutions (the second column).

In this first approximation, I assume a "positive-equilibrium" (Figure 1) approach, i.e., that crime originates in civil society with effects on both civil society as well as on

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by anthropologists: Certain acts are regarded as wrong by every society, preliterate as well as literate; that among these 'universal crimes' are murder, theft, robbery and incest."

[19] The ideas in Figure 3 have their roots in a project on violence and democratic governability funded by the United Nations Development Program and directed by Professor Marc Chernick.

[20] Some will no doubt object to my ranking the state as somehow more important than the regime. Also, once again we confront difficult boundary issues. One can argue that virtually all crimes have political implications. Rape can be about power; theft can be about capitalism and property; tax evasion can be silent treason. Ultimately the boundary rests on findings from psychological interviews with law-breakers: What was the motivation and target of the act? Another type of boundary issue is the exclusion of private life (family and friendship groups) from our scope of inquiry. Caldeira (2000) makes a plausible argument that one must include, indeed emphasize, private life (e.g., domestic violence) to understand the nature of crime and violence in civil and economic society. We set these issues aside for the time being, aware that they may need to be revisited in light of empirical findings.

regime and state. Recall that in Figure 1 the more interesting dynamic is "left to right," and I have included in Figure 3 a line to partition off regime and state. Due to space constraints, I shall only illustrate by examples the reverse flow, through which state and regime influence public security.

In terms of direct linkages, we might differentiate among three main clusters of criminal acts: (1) crimes that "cross the line," as it were, and directly target regime and state; (2) crimes that imply strongly corruptive or intimidating effects on elected or appointed officials or on police, regulators and judiciary; and, (3) crimes that do not attack regime and state directly, nor seek to bribe or intimidate, but whose cumulative effects undermine governabilty.

Crimes against the regime attack the logic and mechanics of electoral competition, responsiveness of governments to electorates, and protection of essential rights. The acts, running from simple through complex, are the corruption and/or intimidation of elected or appointed officials with respect to electoral processes, rule-making and the policy-relevant levels of rule-implementation (i.e., the level of administrative appointees that connects elected officials to the administrative apparatus).[21] The most common problems are intimidation and/or corruption. These can take multiple forms and can be carried out by single individuals or by continuous and coherent groups of widely varying dimensions. The corruption can be technically illegal or fall in some ethical gray zone. Their common targets are voters, candidates for office, election processes, legislators and legislative procedures, and higher-level elected or appointed officials. The targets can range from villages and special districts to the national government.

Crimes against the state involve acts aimed to undermine or destroy state attributes (e.g., national boundaries, sovereignty) or functions (as described above, e.g., monopoly of internal coercion). Terrorism is a repertoire of acts intended to undermine or destroy the state; sedition is the encouragement of rebellion and treason is its commission. The crimes can be directed to support other, enemy states or to mobilize violent oppositions internally. They can be authored by single individuals or complex-continuous groups, be these citizens, foreigners, or transnational combinations. Corruption and/or intimidation can be crimes against the state when they target the state's coercive forces (army, police, intelligence) or its agents of justice (regulators, prosecutors, courts, public defenders, and the like). Vigilantism is a special case of extra-legal coercion. It usually assumes some degree of organization and can take various forms: "popular justice" meted out in shantytowns or hinterlands, death squads that target political or social "undesirables," or private armies or varying size and strength. Rebellion concerns concerted violence against the state. This can take the form of spontaneous resistance, e.g., urban riots, or irregular warfare, such as guerrilla movements. In the positive equilibrium optic, these groups would be self-organized or directed by elements from civil society. By and large, vigilantes operate at the

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[21] For the sake of argument, let us assume that there is a policy-administration differentiation (if not dichotomy) and that there is an identifiable layer of policy-level officers who connect the bureaucracy to the elected officials.

subnational level, but there are cases of private armies that have national-level presence and impact. Finally, mutiny is the special case of rebellion by the state's armed forces.

The second category, crimes that imply strongly corruptive or intimidating effects on elected or appointed officials or on police, regulators and judiciary, differ from crimes against regime and state. The purpose of these second-category crimes is to not affect regime or state but to protect or promote informal, underground or illegal activities. Simple exchanges suggest single individuals or small, spontaneous groups who bribe or intimidate police or regulators. The category also includes rogue police and regulators who extort civil and economic activity, be this legal, informal, underground or illegal (in the terms discussed above).

Due to its greater corrupting capacity, the category becomes more significant at the intermediate and complex levels. Informal and underground activities become larger, more visible and more attractive targets of exploitation by police and regulators. Illegal activities become better organized, more continuous and more profitable. Since they are larger-scale and continuous, the bribery or intimidation affects police and regulatory agencies more broadly. At this level, law-breakers who are arrested or cited have greater potential to corrupt the successive stages of judicial or regulatory administration. In order to generalize about the intermediate and most complex levels, we need to pursue at least three lines of inquiry: (1) the "industrial organization" of crime; (2) the political geography of crime; and (3) the real (as opposed to formal) organization and behavior of law enforcement.

By industrial organization of crime I refer to the requirements that need to be met in order for the activity to succeed. Success, at a minimum, means making a profit while avoiding arrest and prosecution (at least of the types that cannot be bribed or intimidated). Any of the illegal activities cited at the middle and upper levels of complexity can be analyzed as an industry, with entry costs, economies of scale and the like. Business firms in each industry need different types of specialized knowledge, skills, personnel, equipment and financing. Cargo hijacking, to take an example, requires knowledge about types of goods that are being transported along certain routes in certain types of vehicles, with or without protection. It takes personnel with the right kinds of skills and equipment to steal the cargo when it is unattended, or to intercept the vehicles and either commandeer the vehicles or transfer the goods to other vehicles. The next stages require storage and inventory; then comes barter or resale (and the need for knowledge about markets). If barter is the option, resale or further trading is needed; if selling the goods is the option, accounting and financial management (e.g., investment, money laundering) are required. Successful criminal activity of this complexity requires knowledge and specialization.

One can do this sort of analysis for various types of ongoing crime. The relevant point for our purposes is the corruption/intimidation of public officials required in order to successfully carry on the business. This would seem to be a function of the exposure to law enforcement necessary to operate, and the profitability of the activity. Some businesses would seem more vulnerable than others. For example, where outlawed,

gambling, prostitution and drug distribution still require a flow of customers and market activities that would expose them to fairly easy predation by police. Smuggling may be less conspicuous, but the profitability of certain types of goods (e.g., drugs, undocumented migrants, weapons, and the like) would both attract law enforcement and render it vulnerable to corruption.

The political geography of crime overlaps industrial organization to some extent and presents several issues. One concerns the location and profitability of the illegal activity and the scope, wealth and complexity of the political unit in which it operates. Consider, for example, the differential effects of two typical sets of circumstances. Drug smuggling and trafficking organization "A" operates profitably in one of many medium-sized cities in a medium-sized, industrialized country (e.g., Manchester, England; Mannheim, Germany). Organization "B" of similar dimensions and profitability operates in the capital city of a small, developing country. Case "A" is a routine police issue with little or no national importance. Case "B" becomes in effect national organized crime with greater corruptive influence on national institutions, which in turn can complicate interstate relations in a variety of ways. The corruptive influence of Case "B" may be further magnified in the context of unitary administration, which is more typical of small countries.

A variation on this theme is the geographical concentration of crime. Homicides tend to be concentrated in poorer neighborhoods of cities, or in particular provinces or districts. By rendering it relatively invisible, the concentration of crime in poor neighborhoods may have the effect of reducing its priority as a social issue in political systems where middle- and upper-strata interests prevail (e.g., Huggins n.d.). More directly, youth gangs typically organize around "turf," and their activities have direct geographical connections through systems of representation.[22] Armed robbery occurs more frequently in commercial districts. Rural crimes have their own character, e.g., theft of livestock or irrigation water.

Transnational smuggling presents at least three other geographical issues. First, by definition smuggling distributes functions of origin, trans-shipment, and delivery to different territories and political units. Thus, for example, the fate of many small Caribbean islands is to lie between production markets in South America and consuming markets in the United States.[23] Second, smuggling means moving goods or people; therefore, seaports (big or small), air traffic hubs, and highway intersections are natural transportation links, and their host political units become especially vulnerable to corruption. Third, as a gross generalization, the national government and dominant societal groups tend to occupy the center or major coastal or riverine port of a country, and the dominated, often minority ethnic, groups are pushed to the geographic and social periphery. These often occupy the more remote border zones. Smuggling links can become geographically and socially protected, and they can present complex law

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[22] Leeds (1996) provides a model study of drug gangs as "parallel polities" in Rio de Janeiro's favelas.
[23] These become extreme cases of corrupt penetration given their relative poverty, small size, easy access, and weak law enforcement. (See, e.g., Maingot 1999, for a useful discussion that emphasizes the decentralization of drug smuggling through the Caribbean.)

enforcement and governability challenges. The above are examples when what is needed is an analytical framework to organize thinking about space and crime.

Figure 3, to reiterate, depicts criminal acts. The corresponding actors, i.e., individuals or organizations, can vary, although one would expect a rough correspondence according to function. For example, retail drug distribution could be managed by neighborhood youth gangs on a part-time basis or by groups whose main occupation is drug dealing. The main requirement is that the distributors know the neighborhood well enough and have the necessary skills and organization to operate the business. Given our interest in corruption or intimidation, important organizational attributes are (1) "stationary" versus " fugitive" and (2) capacity for violence and corruption. Least problematic as corruptors-intimidators are nonviolent-fugitive organizations (e.g., "bathtub" producers of chemical psychotropic drugs), which can evade detection. The most problematic are the violent-stationary types (e.g., large-scale, extortion/protection organizations that control specific smuggling routes).[24]

Thus far I have focused on civil society criminal groups, emphasizing their potential to corrupt or intimidate. The remaining variable to be examined is the nature of police and law enforcement. The police are especially interesting because they typically are armed and trained to apply coercion in the name of the state, they have significant presence and impact on the public, and they operate with enormous discretion, usually out of the public eye. Two interesting questions here are: (1) What is the real competence of the law enforcement to manage (i.e., control, or detain and prosecute) groups of criminals?, and (2) Assuming some minimal competence, what are the real practices of police and prosecutors with respect to criminal groups? The first question addresses the issue of corruption/intimidation. Presumably, an incompetent police force can be more easily intimidated or more cheaply corrupted. The second question is more interesting in terms of theory. How do competent police set their real priorities? What range of criminal activities do they routinely tolerate? What kinds of corruption are acceptable? What are the cultural, social and political processes that shape police behavior with respect to determining acceptable versus unacceptable corrupt practices? A general hypothesis suggests that a competent police force operates at two levels in a democracy: (1) cues are taken from political authorities, who in turn are responding to public pressures; and (2) real practices are worked out in the course of daily routines.

The third category of interest from Figure 3 is crimes that do not attack regime or state directly, nor seek to bribe or intimidate, but whose cumulative effects undermine governabilty. Here I have in mind the disregard for law by large numbers of citizens in the course of the ordinary activities of their daily lives. Among the cumulative effects, governments may be chronically underfunded due to tax evasion, buildings fall down due to code violations, forests are harvested regardless of environmental restrictions, traffic is

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[24] I am aware of relatively little detailed, descriptive work on the organization and functioning of criminal groups. An important exception is the United Nations (2002) report, which sets out a promising analytical framework that distinguishes among criminal groups, clusters and markets, and connects features such as ethnicity and hierarchy with tendencies toward violence. The cautious description of the Sicilian mafia by Gambetta (1993) is instructive, as is Volkov's creative analysis of Russian criminal groups.

snarled or hazardous. This category of behavior takes us into civic culture, with its focus on socialization and values. We can postpone that discussion at present, and connect the theme to mediated linkages, discussed in the following section.

At this point, let us reverse the presumed causal flow and briefly consider examples of the ways in which characteristics of regime and state can directly influence crime and corruption, both in their own institutions and practices and in relation to civil and economic society. We can first consider the ways in which institutional-organizational features of the regime affect corrupt practices, and then consider state-regime effects on civil society as law-maker and implementer.

By regime features, I refer to formal institutional-organizational arrangements, " . . .the characteristics of political systems that increase the benefits available through corrupt practices, decrease the likelihood of being caught, and reduce the probability or cost of punishment for those caught" (Geddes and Neto 1992, p. 643). Relevant here are the ways in which political power is acquired and wielded in democracies. Electoral arrangements are of central concern. For example, open-list proportional representation systems with low party registration thresholds can promote two sets of problems. On the electoral side, they promote competition among candidates within parties to win seats in the same electoral district. The candidates need to identify and mobilize voting blocs, as defined by geography or function. That is, candidates deliver pork to towns or regions, or they deliver benefits to groups such as farmers or unionized workers. On the governing side, legislators (successful candidates) operate with little party discipline and in search of pork (and possibly side-payments to themselves). Presidents or prime ministers in such arrangements need to generate pork or illicit benefits in order to negotiate the numerous individual deals required to pass legislation.[25] Single-member district systems with weak party organizations increase the candidate's reliance on personal campaigning. Where mass media coverage is essential to successful campaigns, candidates need to generate hefty contributions to purchase advertising. Contributions, in turn, create the appearance and/or reality of preferential access for large contributors. I have the U.S. example in mind, but it probably holds for other SMD systems as well, e.g., Canada, India, France (National Assembly), England. We need, then, a framework to apply to regime institutional arrangements that can guide inquiry about corruption.

Apart from the acquisition of power, a defining attribute of the regime is rule-making, and core functions of the state are rule-implementation and rule-adjudication. On an ongoing basis, elected and appointed officials decide what types of behavior in civil and economic society can be criminalized; in turn, regulators, police, prosecutors and judges routinely decide what specific kinds of criminal behavior will be sanctioned. This can be dramatic, with enormous social consequences (e.g., the 1919 Volstead Act outlawing production and sale of intoxicating liquors in the United States), or subtle, with little obvious effect (e.g., tweaking a provision of a regulation about product labeling).

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[25] Geddes and Neto (1992) provide an insightful discussion of Brazil's electoral and presidential-legislative arrangements. Japan's long experience with a multi-member, single nontransferable vote system also provides an interesting example of systemic corruption on the electoral side, but with the difference of relative party discipline on the governing side.

We need a framework to guide inquiry into the relative "fit" between the values of rule-makers and their perceptions about social behavior.[26] Also, in relation to micro-level theory, we need a framework to examine the interactive effects between law enforcement tactics and programs and the criminal behavior they are intended to affect.[27]

To this point I have merely posited some direct linkages among public security, regime and state. This sets the table for a more systematic analysis of interrelationships among types of crime, violence and corruption both with each other and with regime and state. Consider, for example, the multiple interrelationships among local organized crime groups and trans-national groups. A plausible hypothesis is that transnational smugglers negotiate cooperative arrangements with established local groups, who can provide useful information and support. It also seems likely that these linkages increase the corruptive/intimidative capability of local groups by delivering money, weaponry, technology, information and contacts. Or consider the interaction between terrorism and criminality. Terrorists typically commit a range of crimes (kidnapping, drug trafficking, bank robbery, and the like) to finance political operations. In so doing, they may form alliances with other criminal groups.[28] Another relationship concerns the impacts of rebellion, e.g., guerrilla war, on organized and diffuse crime. Guerrilla war introduces weaponry and skills into societies that become more habituated to higher rates of violence and in which the state is distracted and/or weakened by the armed challenge. Who better than ex-guerrillas know how to evade detection, negotiate with international smugglers, maintain group discipline, operate powerful weapons and plan complex activities. The net effect is to increase overall levels of violent crime. Many more types of direct linkages can be inferred from Figure 3 and can be formulated as hypotheses more systematically.[29]

Crime, Regime and State: Mediated Linkages
What are the effects of crime, corruption and violence on civil society and on state and regime as mediated by perceptions? And, what are mediated effects of state and regime

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[26] The criminal anthropologists (e.g., Heyman 1999) have done useful work here.

[27] It is generally accepted that outlawing (or increasing the real enforcement against) a valued good or activity has the effect of introducing (or raising) a risk premium to the provider and thus raising the market price. This can be measured and estimates can be made about certain consequences of criminalization and enforcement. We need additional work on the consequences of increased enforcement for the organization and behavior (corruption/intimidation) of criminal groups. Increased enforcement against illegal immigration at the U.S. southern border, for example, has had the (expected) effect of raising the price of smuggling. What has been the effect on organization and behavior of smuggling groups? In a different context, increased enforcement against cocaine smugglers in Colombia had the effect over some period of time of promoting better organization of producers and smugglers (and dramatically increasing their capacity for corruption and violence). Continuing to intensify enforcement, however, had the apparent effect of destroying the large organizations and of promoting a proliferation of smaller groups, suggesting a curvilinear relationship. What have been the implications for violence and corruption?

[28] Leeds (1996) describes the fascinating example of Brazil in the 1970s and 1980s when political prisoners were incarcerated along with violent criminals, which had the dual effect of politicizing the criminals and improving the criminal skills of the political detainees. When officials recognized the emerging problem, it occurred to them to move the "contaminated" prisoners to other facilities, which had the effect of spreading the problem more widely throughout the prison system.

[29] Some of this sort of work is underway in the United Nations project on violence and democracy (footnote 19 above).

responses to problems of crime and corruption? How are crime, corruption and violence perceived by individuals, mass publics and elites? Who, in terms of individual and group characteristics, cares most about what kinds of problem clusters? Is, for example, violence caused by natural disaster somehow feared less than violence purposely inflicted by unknown individuals? How are perceptions of crime, violence and corruption linked to support for democracy? To degrees of interpersonal trust? Due to space limitations, I shall focus more on effects of perceptions of social insecurity on regime and state.

Approaching relationships from "left to right," we confront a complicated chain of conceptual and methodological problems that connect perceptions and evaluations of stimuli, their association with evaluations that we consider "political," and their consequences for attitudes (and perhaps behavior) with respect to civil society, regime and state. We can begin with speculations about socialization and communication and then attempt to formulate the research question more precisely. As noted at the outset, the work on mediated linkages is a less-explored region on the map.

At the micro-level of socialization and communication, we might conceive of three groups of transmission mechanisms that form, communicate and interpret images of crime, violence and corruption. Informal, face-to-face groupings, such as family, friendship networks and neighborhood interactions, along with formal associations, such as organizations and activities associated with churches, schools, or sports and recreation, would seem to be two especially important sets of influences with respect to socialization of individuals, i.e., the acquisition of basic values and beliefs. The third, the mass media, and especially the electronic media, would play a more important role with respect to selecting and framing images on an ongoing basis. Especially important is television, because of the generalized finding that most people get their information from television and particularly from local news programs, and that crime and violence are prominently featured in these programs.[30]

We need to revisit the enormous literature on childhood socialization in search of findings related to attitudes about public security and government. In addition to exploring relationships between social attributes (e.g., gender, SES, race) and attitudes, we need to examine generational effects of events on cohorts. These might include wars, terrorist attacks, natural disasters, and the like. With respect to communications, the media are an especially important topic given their pervasive influence and capacity to select and shape images. In what ways does exposure to certain types of media affect attitudes?

With respect to perception and evaluation, it would seem that basic distinctions should be drawn within the public security cluster. We might hypothesize that violence and violent crime generate fear, or--more precisely--fear of victimization. Non-violent crime and corruption are less likely to produce fear than complex forms of disapproval

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[30] U.S.-based research reports that most people get their information from local television news, that violent crime is disproportionately featured on news programs, that racial images feature importantly in coverage of violent crime, and that perceptions of these images influence peoples' perceptions of political candidates (see Gilliam and Ilengar 2000; Valentino 1999).

(mixes of anger, indignation, cynicism and distrust). The distinctions might not be supported by empirical findings, but if they we need to explore two rather different linkages between perception-evaluation and support for state and regime.

The key intervening variable between perception of violence, criminal or otherwise, is fear. At the level of social psychology, Warr and Stafford (1983) are probably on the right track in suggesting that the fear of victimization is a function of the perceived seriousness of an offense (e.g., murder or rape versus panhandling or receiving an obscene phone call) and the perceived likelihood that the offense may occur. Thus, while murder is far more serious, the likelihood of its occurrence is quite low, and thus fear of victimization in this instance is relatively low. The empirical task is to assess which individuals (and social or attitudinal categories) assign what levels of seriousness and likelihood of occurrence to different violent offenses.

The next question is: How does fear of victimization take on political (presumably negative) forms? One line of reasoning frequently suggested is that fear of victimization in settings in which violent crime is perceived as increasing leads to changes in attitudes (greater distrust of others) and behavior (measures for self-protection, support for restricting civil rights and for more repressive law enforcement). Caldeira (2000, p. 2) provides an anthropologist's perspective on a Brazilian case:

> The talk of crime works its symbolic reordering of the world by elaborating prejudices and creating categories that naturalize some groups as dangerous. It simplistically divides the world into good and evil and criminalizes certain social categories. This symbolic criminalization is a widespread and dominant social process reproduced even by its victims (the poor, for example), although in ambiguous ways. Indeed, the universe of crime . . . offers a fertile context in which stereotypes circulate and social discrimination is shaped, not only in Sao Paulo but everywhere. This universe of crime and fear is obviously not the only one generating discrimination in contemporary societies. But it is especially important because it stimulates the development of two novel modes of discrimination: the privatization of security and the seclusion of some social groups in fortified and private enclaves. Both processes are changing concepts of the public and of public space that used to be dominant in Western societies until very recently.

A political sociologist reaches similar conclusions about Argentina, based on survey data.

> It is an established fact that increasing mistrust can result in greater intolerance and in discriminatory behavior, with "difference" being perceived as threatening. This increase in fear not only reveals but promotes a weakening of social ties within communities. When fear and mistrust affect the majority of social relationships, individuals refrain from participating in public activities and retreat into their own private lives (Smulovitz 2003, p. 141).

Smulovitz's concerns are less about the preservation of defining features of democracy (competing elites, periodic elections, etc.) than about the quality of democracy in the sense of citizens' well-being and protection of civil rights.

A political scientist working on Mexico City, Pablo Paras (2003) examines the interconnections between crime victimization (including both violent and property crime and defined more broadly to include direct victims as well as members of their households), social capital and changes in attitudes and behavior. The model is summarized in Figure 4.

Figure 4 in the Appendix

Using a specially designed questionnaire in a representative sample survey (1006 respondents) Paras finds support for hypotheses that connect victimization with support for democracy:

> Individuals with personal victimization experience are less likely to . . .
> a) Trust other individuals;
> b) Trust institutions;
> c) Be members of formal organizations;
> d) Change their behavior;
> e) Report good personal health, and
> f) Prefer democracy;
> . . . than non-victims (Paras 2003, p. 6).

These examples are offered for two purposes: first, they suggest the plausibility of the "left-right" chain connecting crime and violence to support for regime; and, second, they illustrate the contributions that different methodologies offer. Ideally, one could combine approaches to design a more useful methodology. For example, if findings from ethnography and social psychology could be filtered through focus groups, a survey questionnaire could be especially tailored to explore the relationships suggested in the basic model.

Corruption presents perhaps even more difficult problems of conceptualization, measurement and integration in a causal linkage with civil society, regime and state. Most general survey research that asks about "corruption" is of limited use, because the term conjures up so many different meanings to respondents.[31] More promising is the approach that recognizes that corruption is a socially constructed notion and that tries to disentangle its various components and dimensions, including how these are perceived by different social groups. For example, Peters and Welch (1999, p. 726) analyze "potentially corrupt acts" by partitioning the process into: "'the public official' involved, the actual 'favor' provided by the public official, the 'payoff' gained by the public

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[31] Thus, to ask, "In your opinion how many government officials are corrupt?" or to offer "Corruption" as an option in response to: "In your opinion what has been the major obstacle to democracy in this country?" does not go far enough. Of course, the same lament could be made with respect to survey treatments of "trust," "left/right," "democracy," "accountability," and the like.

official, and the 'donor' of the payoff and/or 'recipient' of the 'favor' act." With this approach they are able to construct a variety of hypothetical situations with which to test responses by (in this case) political elites in the United States.

Michael Johnston takes a similar approach to construct a variety of apparently corrupt situations and test responses across social groups (also in the U.S. context). His opinion survey generally supports some interesting hypotheses that are worth quoting at length:

> 1. Actions which are clearly corrupt by more formal definitions will be judged as more corrupt than those of more doubtful status.
> 2. (a) The larger the stakes or "take," the more harsh the judgment;
>   (b) similarly, the more direct the method of "taking," the harsher the judgment.
> 3. Actions by public figures will be judged more harshly than those of private citizens.
> 4. (a) Mitigating motives and circumstances will reduce the severity of judgments;
>   (b) this effect should be greater when the mitigating factors fit into the realm of private equivocations than when they do not.
> 5. Social distance, and the contrasts between public standards and private rationalizations, will mean that judgments will depend upon the nature of the perpetrator, and that of the victim. Specifically,
>   (a) when a prominent person takes from a large organization, judgments should be relatively harsh;
>   (b) when a prominent person or organization takes from ordinary citizens, judgments should also be harsh;
>   © when ordinary citizens take from a large organization, judgments should be more lenient (Johnston 1999, pp. 747-748).

Johnston also finds that middle- to upper-status respondents are more critical of official theft, while lower-middle and lower class respondents are more critical of the exchanges of gifts and favors. The key points would seem to be that formal definitions of corruption are insufficient and that perceptions of corruption vary considerably across social groups. Johnston's conceptual-methodological conclusion is most interesting for present purposes:

> . . . While public perceptions must be an important aspect of any analysis of corruption as a political issue, it would be most difficult to build those perceptions into basic definitions.
> . . . A better approach is to use a formal analytical definition to identify corruption, to posit social conceptions of corruption as an important factor affecting political response (or non-response) to corruption, and then to examine the divergences between the two outlooks (Johnston 1999, pp. 759-760).

An approach that disentangles the various dimensions of corruption and tests responses by varieties of social groups forms a good first link in the causal chain. What

remains unexplored, at least to my knowledge, are the intervening variables that connect perceptions about corruption to attitudes about regime and state (or their component parts). The most useful chain would include a final set of links about behavior as well (e.g., voting, paying taxes, etc.).

Mediated Effects of State and Regime

Due to space limitations I cannot develop the discussion of "right-left" linkages, that is, the ways in which responses or initiatives by state and regime might be perceived by civil society in relation to support for political institutions or for interpersonal trust. But I do need to convey one central point. The actions of parties, elections and parliaments may be perceived in importantly different ways from those of police, courts and bureaucracies. And it may be that the latter, the regulatory-administrative side of things, has a greater impact on matters of legitimacy and social trust.

Bo Rothstein (2004, pp. 144-157) develops the hypothesis that bureaucracies and administration have a closer and more interventionist relationship with the citizenry than do political parties and parliamentary activities. Further, while parties and parliaments are supposed to operate in partisan and particularistic ways, the bureaucracy is expected to implement policy fairly and impartially, following universal norms. " . . .(T)he task of administrative institutions is to supply citizens with their democratic and social rights in concrete terms. Accordingly, they are more closely connected to the aspect of democratic theory that has to do with ensuring liberty and civil rights than to democracy as an aggregation of preferences" (Rothstein 2004, p. 145).

Rothstein goes on to link perceptions of administrative-regulatory agencies to social trust. His preliminary work on Swedish public opinion suggests that there is a trust gap in favor of implementing agencies (such as health care systems, universities, police and courts) as opposed to representative institutions (such as municipal executive boards, political parties, the European Parliament). (*ibid.* p. 147) He also turned up an interesting puzzle: " . . . the relationship between social trust and trust in the courts and police, i.e., what is usually called the rule of law, is one of the least weak correlations. . . . Why should people with high trust in other people feel any particular need for police and the courts?" (*ibid*. p. 149). His answer is that it is precisely the institutions of law and order that have the main task of punishing those who have committed acts that undermine trust. If those institutions perform well, there may be reason to believe that following the rules makes sense and that rule-breakers will be sanctioned. The relationship holds up when controlling for other variables.

> That which emerges from this analysis is that, as far as Sweden is concerned, trust in the legal system and the belief that bribe taking and corruption are uncommon have significant impact on interpersonal trust, even when controlled for educational levels of respondents. However, factors such as activity in voluntary associations, "happiness," interest in politics and subjectively perceived health status are not significant, i.e., control for the rule of law variables eliminates the effect of those factors. The results are more mixed for the total survey of 61

countries, but the variable that has the greatest effect on trust in other people is the belief about whether bribe taking and corruption are widespread (*ibid.* p. 152).

He goes on to test his hypothesis with World Values Survey data and finds significant support for it. The gist of the point is that citizens differentiate between rule-making and rule-implementing bodies with respect to their trust in institutions and in each other, and the latter bodies are probably more significant. This may offer comfort to those in Sweden and the United States, where trust in police and courts is relatively high; but it adds a certain poignancy to research on those countries whose police and courts rank near the bottom of institutions in terms of public trust.

Conclusions: Minimal Tests of Plausibility
Rather than cans of worms, I have been busily prying open whole barrels of messy puzzles. My main claim is twofold: crime, corruption and violence should receive more attention in studies of quality of democracy, and they need to be examined conjointly. I have suggested, though without evidence, that basic relationships between public security and democratic governability exist in positive and negative equilibrium. I have also suggested that it is useful to differentiate between direct and mediated effects, and that the flows of effects run both ways between civil and economic society and state and regime. Further, it is useful to think about three levels of inquiry: a macro-level that examines the origins and evolution of whole systems; a middle-range level that examines patterns of relationships among variables in the basic models; and a level that examines individual perceptions and values.

Throughout the discussion I have struggled to differentiate state from regime. I did so because I suspect that the activities and institutions related to elections and policy-making are significantly different from policy implementation and case adjudication. I want to justify a separate category for police, judges and bureaucrats, as distinct from elected representatives or high-level appointees. The problem I encountered is that the Dahl-Schumpeter formula for regime is too narrow; but the Easton formulation is too broad, conflating as it does rule-making with rule implementation. My rather *ad hoc* solution, more instinct than logic, is to connect implementation and adjudication more closely to the state. This, to put it mildly, requires further thought.

In all of this, it would seem to me that two assertions would need to pass a minimal plausibility test for the enterprise to advance in its present form. Both of these represent boundary problems. The first assertion is that it is useful to select crime, violence and corruption for privileged treatment as "security" problems that are significant for democratic governability. Many other important issues, such as poverty and inequality, thereby become subordinated to the privileged issues. The second assertion posits positive and negative equilibriums but without offering useful criteria by which one can assign political systems to one or another category. Perhaps a more useful approach is a continuum of viable systems (setting aside failed states), with positive and negative equilibriums as polar types.

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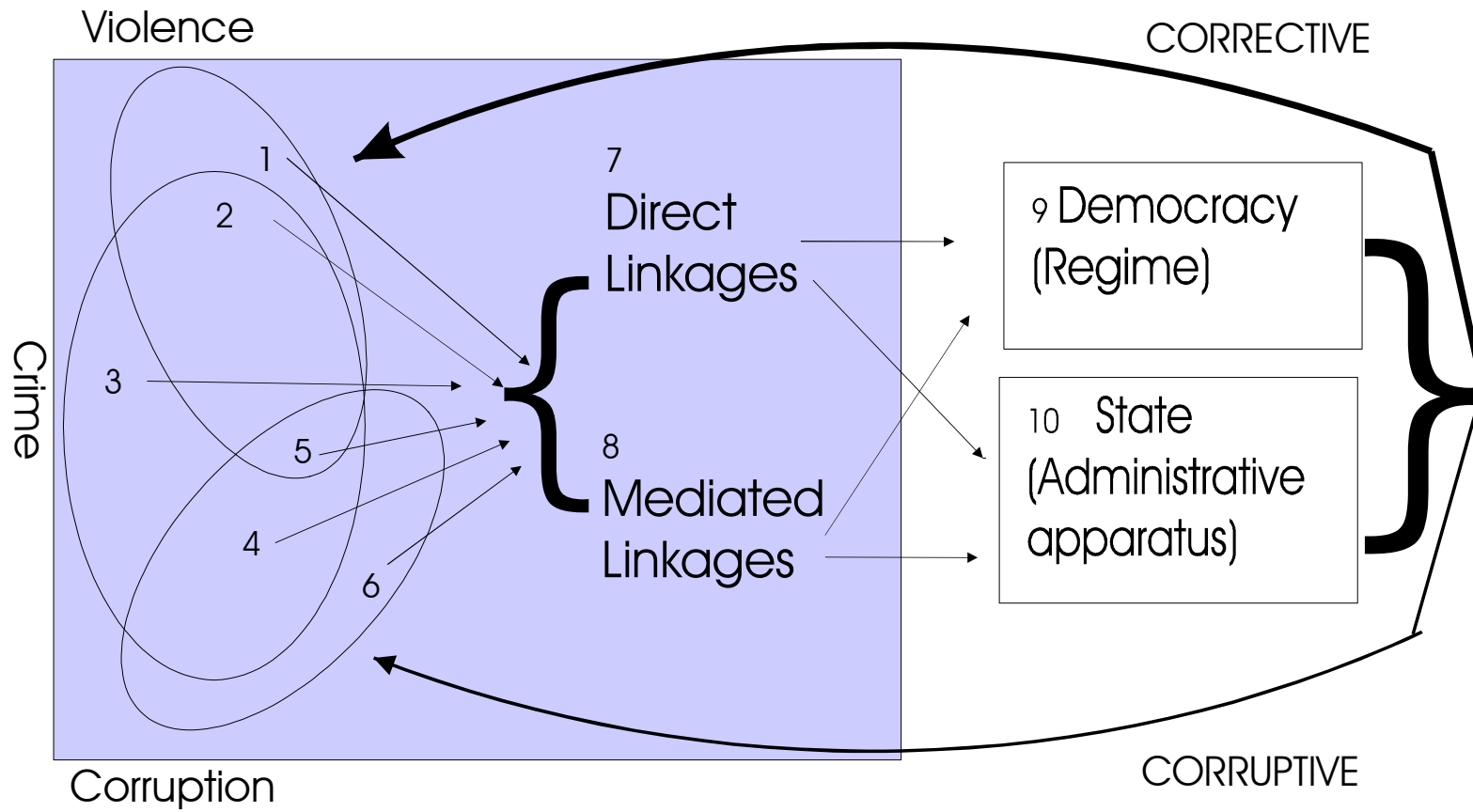Figure 1. Public Security, State and Regime: Positive Equilibrium

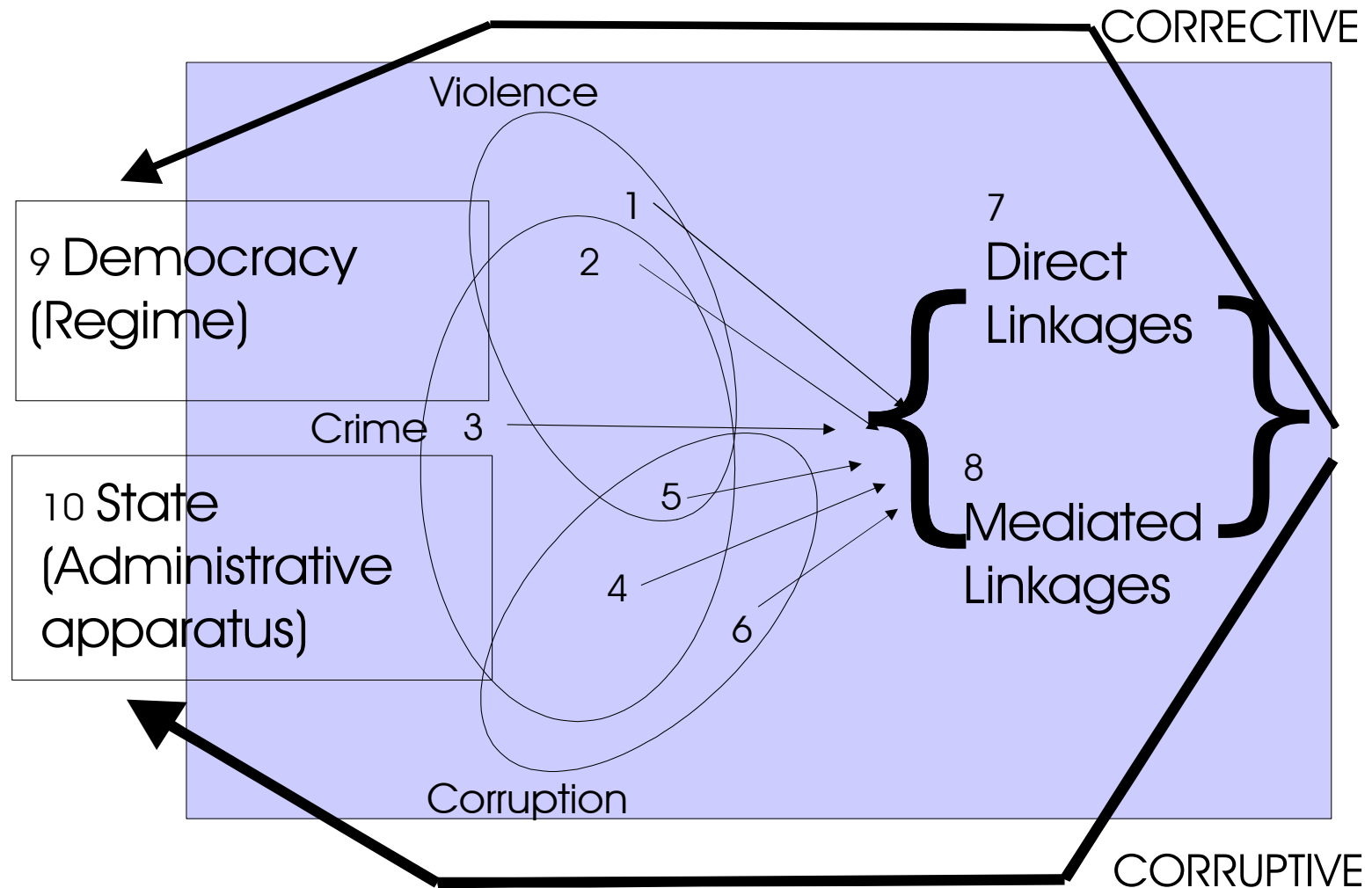Figure 2. Public Security, State and Regime: Negative Equilibrium

CORRECTIVE

Violence

9 Democracy
(Regime)

1

2

7
Direct
Linkages

Crime   3

5

10 State
(Administrative
apparatus)

4

6

8
Mediated
Linkages

Corruption

CORRUPTIVE

Table 2. Institutional Coherence/Capacity & Ethical Orientation

		Institutional Coherence/Capacity	
		High Coherence	Low Coherence
Ethical Orientation	Law-abiding, Ethical	1. (from Figure 1, positive equilibrium model; "consolidated democracy" with "normal" volumes of crime & corruption)	4. (simple form of system, but with "republican" ethos; historical origin of modern system; simple subunit of modern system)
	Criminal-Corrupt	3. (competent-coherent in bureaucratic terms, but generally corrupt ethos; more likely as aberrant subunits of modern democracy)	2. (from Figure 2, negative equilibrium model; corrupt ethos; could be historical origin of contemporary case; could be the contemporary case in "arrested development")

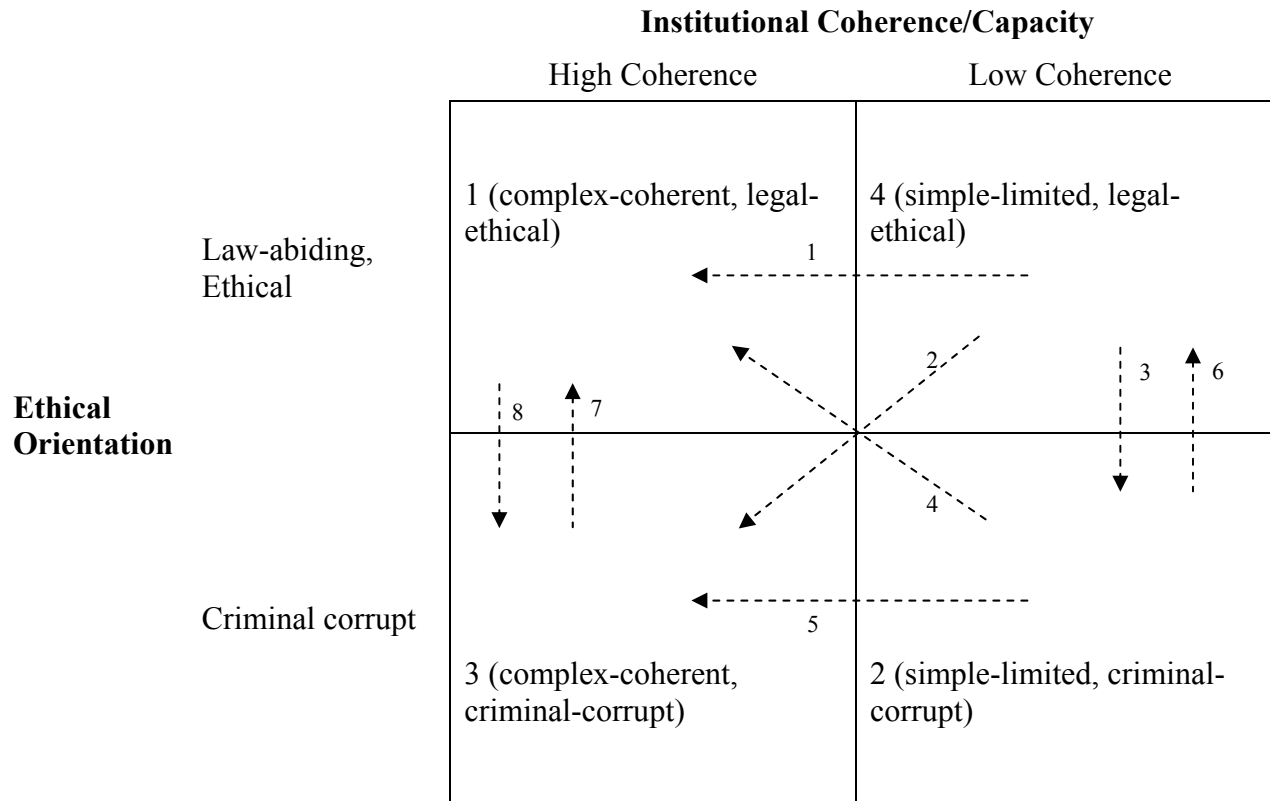TABLE 3. INSTITUTIONAL COHERENCE/CAPACITY & ETHICAL ORIENTATION

Institutional Coherence/Capacity

High Coherence   Low Coherence

1 (complex-coherent, legal-ethical)	4 (simple-limited, legal-ethical)
3 (complex-coherent, criminal-corrupt)	2 (simple-limited, criminal-corrupt)

Law-abiding, Ethical

Ethical Orientation

Criminal corrupt

Figure 3. Crime, Regime and State

POLITICAL NATURE OF CRIMINAL ACT

	Civil & Economic Society		Public official / Public policy	Democratic regime	State
Simple	Informal-underground (Tax & regulatory evasion) White collar Blue collar	Homicide Assault Rape Armed robbery Theft Traffic violations	Simple bribery Intimidation Police - regulatory extortion	Intimidation Corruption Election violation Civil disobedience	Terrorism Treason Assassination Individual intimidation / corruption of judiciary, army, police
	Informal-underground (Tax & regulatory evasion) Money laundering Corporate crime	Gambling Prostitution Drug distribution Cargo hijacking Carjacking Kidnapping Armed robbery Extortion / Protection	Complex bribery Intimidation Civil disobedience Police-regulatory extortion	Intimidation Corruption Election violation Civil disobedience	Terrorism Sedition/treason Regional rebellion, vigilantism Corruption/intimidation of regional judiciary, army, police
Complex	National / Int'l Cartel-Price- fixing Tax & regulatory evasion Money laundering	Int'l smuggling Extortion/Protection	Complex bribery Intimidation Civil disobedience	Election violation Large scale corruption Intimidation	Terrorism Sedition/treason Vigilantism Mutiny Corruption/intimidation of national judiciary, army, police

ORGANIZATIONAL COMPLEXITY OF CRIMINAL ACT (left axis label, Simple to Complex)

Figure 4. Crime Victimization, Fear, Social Capital and Support for Democracy
(Source: Paras, 2003)